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whether or not it was due to the negligence of the plaintiff that the premature demise of his bull occurred.

The question in controversy is still *pendente lite*, both parties alternately getting a continuance and neither being willing to come to a direct issue at trial. When court convenes all other business is postponed to hearing motions in the "bull case," and the Justice uses, none too delicate language when lecturing the parties for not having prepared for trial. It is said the last named official has vowed to resign from his office as soon as the case can be brought to a final hearing, declaring that he had no idea the law was such a mixture in accidental causes, and so extraordinarily indulgent to frivolous litigation.

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**On His Voir Dire.**—A few years ago, when Chief Justice Doe was conducting a murder trial in Nashua, N. H., the work of impanelling the jury was going on. A juror from Wilton was called and asked by Judge Doe if he believed in capital punishment. The juror said he didn't think he did.

"Well," said the judge, "suppose a man was going to kill your wife, but by your killing the man you could save your wife's life, would you do it?"

The juror answered that he thought he would.

"Well," said the judge, "suppose it was your wife's mother who was going to be killed, and you could save her by killing the man, would you kill him?"

The juror answered that he guessed he "would let the old lady go."—*Boston Herald*.

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**Serious Tangle.**—"How about that Boxley divorce suit?"

"That's what I was going to tell you. He sued for divorce on the ground of desertion, and she filed a cross bill, alleging cruelty. Now they want to call off both suits and make up, and their lawyers won't let 'em."—*Chicago Tribune*.

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## BOOK REVIEWS.

**Cyclopedia of Law and Procedure.** William Mack, Editor in-Chief. Volume XXI. The American Law Book Company, New York. 1906.

The writer has often had occasion to regret that "Cyc" is not nearer its completion. The advantage of having matters of substantive law and pleading and practice together in one volume is so manifest that the practitioner is quite prone to consult "Cyc" before any other authorities, but he is often disappointed in finding that the subject under investigation has not yet been treated. It is true that all things that are worth doing take time, but the bar would be better satisfied if the volumes of this valuable series appeared more rapidly. Volume 21 devotes 276 pages to "Guardian and Ward" by

William F. Woerner, formerly of the law department of the city of St. Louis. The article on "Health" is written by Ernst Freund, Professor of Law in the University of Chicago, and an author who is well known through his work on "Police Power," and numerous articles published in the leading law magazines. The great increase in the number of statutes dealing with public health and giving health authorities extraordinary powers have brought forth many nice questions of constitutional law. These questions Mr. Freund has shown himself well prepared to discuss through publications already well known to the profession. The volume also contains very extensive articles on Habeas Corpus, Hawkers and Peddlers, Holidays, and Homesteads, while the subject of Homicide is treated by the wellknown author of "Clark's Criminal Law." William L. Burdick, of the law school of the University of Kansas writes the article on "Husband and Wife," to which subject 600 pages are devoted.

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**The Life of General Hugh Mercer**, by Judge John T. Goolrich. The Neal Publishing Company. New York and Washington. Price \$1.50.

The lives of our Revolutionary heroes in these strenuous days are almost beginning to be

"Like a dim-remembered story  
Of the old time entombed."

A debt of gratitude is therefore due to the author who brings back to our generation a clear and living picture of any one of them. Judge John T. Goolrich of the Fredericksburg Bar has done this in his most entertaining and charming biography of Gen. Hugh Mercer. A soldier under "Bonny Prince Charlie" at Culloden; a country physician in Pennsylvania and then a practitioner at Fredericksburg, Va.; the friend and fellow-soldier in the Indian Wars of Washington; the acquaintance of Monroe, John Marshall, George Mason and of his fellow countrymen John Paul Jones; the Colonel of a Virginia regiment soon promoted to be a Brigadier General by the Continental Congress; serving with eminent distinction, winning the commendation of his great Commander in Chief and dying from wounds received at the battle of Trenton, his life is one well worthy of the attentive perusal of those who admire a life of integrity, courage, action and nobility. Judge Goolrich has done his work well—only too briefly. The book is charmingly and sympathetically written and its value added to by sketches of Washington, Paul Jones and other worthies who gathered at Fredericksburg "in the brave days of old." Every Virginian should have it in his library and it deserves and we feel will have a wide circulation throughout the Union. Valentine's fine bronze statue of Mercer, which has been so recently erected at Fredericksburg by the United States Government is probably the moving cause of this excellent biography, itself a work of art—tho' a panel picture—of which we may well say in the words of Gautier that it will remain "Plus fort que les airains."

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**The Encyclopedic Digest of Virginia and West Virginia Reports.** Volume IV. "Criminal Law to Election of Remedies," The Michie Company, Charlottesville, Va.

Each volume of this admirable work as it appears, gives additional evidence of its great value. The present volume is of peculiar interest. "Criminal Law," "Damages," "Death by Wrongful Act," "Depositions," "Descent and Distribution." and "Demurrers" are some of